

7/16/07 - Monday, July 16, 2007

CITY OF EAU CLAIRE

PLAN COMMISSION MINUTES

Meeting of July 16, 2007

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Levandowski, Larson, FitzGerald, Kayser, Waedt, Vande Loo, Hughes, Kaiser

Staff Present: Messrs. Tufte, Reiter, Genskow, Ivory

The meeting was chaired by Mr. Levandowski.

1. **REZONING (Z-1386-07) - R-3P and C-2P to R-3P, Oxbow Apartments, 10th Avenue**
and
CONDITIONAL USE PERMIT (CZ-0707) - Parking Lot, 225 10th Avenue
and
SITE PLAN (SP-0722) - Oxbow Apartments Addition and Parking Lot, 225 10th Avenue

The Plan Commission had postponed consideration of this request at its last meeting in order that the developers could redesign the project. The revised plan has reduced the number of units for the addition from 22 to 18 total. This also allowed a redesign of the parking lot across 10th Avenue to be modified to address staff and neighbor concerns about access. The revision results in 101 parking stalls. 97 are required. Mr. Tufte noted that the neighborhood association still objects to the design of the project. They prefer that all the required parking be adjacent to the building on the same side of the street. Mr. Tufte also showed on the map that all the required parking can be placed on site with the additional land proposed to be added to the project site.

Glenn Solsrud and Schyler Van Gordon, developers spoke in support. They described the project and location of parking adjacent to main entrances. They claimed that 10th Avenue was not a busy street. They wish to maintain a maximum amount of green space for the existing commercial dentist office to the west. Mr. Van Gordon also stated that he is just one of five clinic property owners, and the others have not agreed to transfer the additional land if it would be used for parking and they would lose green space along the pedestrian trail.

Michael Goodell, property manager for Oxbow Apartments, described the occupancy and parking rules, which he uses to control tenant parking. He stated that this method will continue and the new parking lot will also be numbered for tenants. No cars are permitted to park on site without a permit.

Bob Johnson, architect, also spoke in support.

No one appeared in opposition.

Mr. Larson stated that the letter from the neighborhood association was not specific in its objection to the parking lot. Mr. Kayser stated that without a precise objection, the parking lot seemed a reasonable solution to relieving parking congestion in the area.

Mr. Levandowski objected to the parking lot across the street when there appeared to be available space on site.

Mr. Larson questioned the transfer of the additional land because of conflicting statements from the applicants about its complete transfer. Mr. Tufte responded that the code will require a CSM to be filed with the transfer of the additional triangular lot to the project or a building permit cannot be granted.

Mr. FitzGerald moved to approve the conditional use permit request with the conditions listed in the staff report. Mr. Vande Loo seconded and the motion carried. Mr. Levandowski voted no.

Mr. FitzGerald then moved to recommend approval of the rezoning and site plan with the conditions listed in the staff report, with the additional condition on the site plan that a CSM be recorded which transfers all the land being rezoned to the project. Mr. Vande Loo seconded and the motion carried.

2. **REZONING (Z-1390-07) - TR-1 to R-1, 307 E. Hamilton Avenue**

Mark and Debra Barker have submitted a request to rezone their home at 307 E. Hamilton Avenue from Temporary R-1 to R-1. The house was annexed several years ago but was not rezoned by the owner. The Barkers want to add to the home and need permanent zoning to get a building permit. Part of their property already is zoned R-1.

No one appeared in opposition.

Mr. Vande Loo moved to recommend approval. Mr. FitzGerald seconded and the motion carried.

3. **REZONING (Z-1391-07) - R-1 to R-2P, W. Shorewood Drive**

Fred and Patricia DesForge have submitted a request to rezone 13 lots located on the north side of W. Shorewood Drive, east of Jeffers Road, from R-1 to R-2P, and to adopt the General Development Plan for duplex development. The property was platted for single-family development. However, the lots are all large enough to meet duplex standards. The Comprehensive Plan considers duplex development to be low-density. Mr. Tufte noted there are commercial uses to the south and a public utility facility to the north.

Mr. and Mrs. DesForge appeared in support. They stated that the samples submitted within the packet were to demonstrate that duplexes could be built on the proposed lots. It appears that two of the duplexes are not consistent with present duplex design guidelines.

No one appeared in opposition.

Mr. Larson moved to recommend approval, adding the condition that the sample duplexes submitted with the application are not part of the General Development Plan. Mr. Vande Loo seconded and the motion carried.

4. **CONDITIONAL USE PERMIT (CZ-0716) - Warehouse/Wholesale Facility, Sky Park and SITE PLAN (SP-0729) - Valley Builders Hardware**

Valley Builders Hardware Company has submitted a request to allow a warehouse and wholesale facility in Sky Park Industrial Center and to approve the site plan for the project. Warehouse and wholesale uses are reviewed as a conditional use in Sky Park to allow the Plan Commission to judge the compatibility of the use with existing uses. Mr. Tufte noted that these types of uses where the activities of the business are mostly indoors have proven to be compatible and reported that the Sky Park building committee does not object to the project. There are 26 parking stalls for employee parking and 6 parking stalls for customers. The building elevations provide brick and decorative masonry towards both streets in earth-tone colors as required by protective covenants.

Todd Johnson, Valley Builders Hardware, appeared in support. He stated that any items stored outside would be within the enclosed area to the rear of the building.

No one appeared in opposition.

Mr. FitzGerald moved to approve the request and site plan with the conditions listed in the staff report. Mr. Kayser seconded and the motion carried.

5. **FINAL PLAT (P-07-03) - Thistledown, Amendment #4, Town of Washington**

John Panzigrau has submitted an amendment to the final plat of Thistledown Subdivision, located north of CTH "II" and east of Hwy. 93 in the Town of Washington. The amendment request is to change the building pad location for Lot 20 as shown in the staff report. The amendment to the pads is to increase the size of one pad. Both remaining pads are large enough to meet City requirements.

Mr. Kaiser moved to recommend approval. Mr. Vande Loo seconded and the motion carried.

6. **SITE PLAN (SP-0724) - Action City Hotel and Water Park**

Mr. Tufte reported that the Plan commission postponed consideration of this site plan to allow time for applicant to complete the site plan for the project. They have revised the site plan, landscape plan, utility plan, grading plan, lighting plan, floor plans, and building elevations for the project. The major change with the site plan is the parking area has been expanded from 110 stalls to 169 to address the use of the water park by non-hotel guests. There is also more space on the site to increase parking if needed. The hotel has increased from 104 rooms to 107.

Mark Steil, developer, spoke in support. He stated that they have used the premier water park designer and incorporated the recommended spaces based on the projects capacity in excess of 500 persons. He is comfortable with the conditions of approval. Mr. Tufte added that signs and lighting will have to be reviewed by the City so that these items meet City code.

Mr. Vande Loo moved to approve the site plan with the conditions listed in the staff report. Mr. Waedt seconded and the motion carried.

7. **SITE PLAN (SP-0727) - Kwik Trip, W. MacArthur Avenue**

Kwik Trip has submitted a site plan for a convenience store and car wash at 2903 Hendrickson Drive. The project would remove the existing restaurant on the site to make room for the new store and car wash.

Mr. Tufte reported that a memo prepared by the Engineering Division concerning the traffic impacts on the Craig Road/Hwy. 37 intersection and frontage road has been forwarded to the applicant. They have called the City and requested the item be postponed to allow them to revise the site plan and analyze the traffic impacts on the proposed store.

Mr. Kaiser commented that the redirection of traffic may also affect the other businesses to the north along the frontage road.

Mr. Kayser moved to postpone consideration. Mr. Vande Loo seconded and the motion carried.

8. **SCREENING PLAN (CZ-0622) - Clear Channel Tower, Mitchell Avenue**

The Plan Commission approved a conditional use permit for a new radio tower for Clear Channel Communications at 1819 Mitchell Avenue. A condition of approval for this project was the approval of a screening plan along the west and south sides of the property lines. A plan was submitted which shows a combination of pine tree and hedge plantings, along with maintain the existing vegetation on the site. The neighbors had indicated a preference for plantings instead of a screening fence.

Mr. Kayser suggested that a larger variety of vegetation be planted in case a disease attacks a given variety there is enough other varieties to maintain a screen.

Mr. Dick Rogers, representing Clear Channel, stated that all new plantings will be watered weekly and that he would be interested in information that Mr. Kayser could provide on additional varieties.

Mr. Vande Loo moved to approve the screening plan. Mr. Kaiser seconded and the motion carried. Mr. FitzGerald abstained.

9. **DISCUSSION - Regis High School Sign**

Mr. Ivory reviewed the history of the sign code amendment and conditional use permit which was approved to allow Regis High School to display a ground sign facing Hastings Way while being zoned R-1. The sign does incorporate an electronic message board with a 1-hour time limit on each message.

Emil Rinaldi and Cindy Hofacker, representing Regis High School, spoke in support of an ordinance amendment which would allow them to display messages that change faster than once an hour. They provided examples of messages that they stated were difficult to display given the size of the board and its time restriction. They were not specific to the exact time length that they would like. It was the consensus of the commission that the City will need to revise the commercial portion of the message center sign ordinance amendment in order to have a better>

MINUTES

The minutes of the meeting of July 2, 2007, were approved.

Fred Waedt

Secretary